

Application No. 09/921,097
Amendment dated July 23, 2007
Reply to Office Action of February 23, 2007

REMARKS

Applicant amended claims 1-3, 6, 7, 9-13, 16-18, 21, 22, 24, 26-28, 30-34, 36, 38-40, 42-46, 48, 50-52, 54, 55, 59, and 64 to further define Applicant's claimed invention. Support for the amendments to claims 1, 16, 31, 43, 55, and 59 can be found in the specification at least on page 13, line 7 through page 14, line 8 and in FIG. 4.

In the Office Action, the Examiner rejected claims 16-19, 27, and 28 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,483,986 to Krapf ("Krapf"); rejected claims 1-6, 8, 10-15, 31-33, 35 and 37-42 under 35 U.S.C. § 103(a) as being unpatentable over Krapf in view of U.S. Patent No. 5,929,849 to Kikinis ("Kikinis"); rejected claims 55, 56, and 59-63 under 35 U.S.C. § 103(a) as being unpatentable over Kikinis in view of Krapf; and rejected claims 43-45, 47, 49, 50-54, 64, and 65 under 35 U.S.C. § 103(a) as being unpatentable over Krapf and Kikinis in view of U.S. Publication No. 2002/0007493 to Butler ("Butler").

Applicant amended independent claims 1, 16, and 55, respectively, to recite the steps of "interrupting the delivery of the video to the user," "interrupting the delivery of the video from the remote location over the network to the user," and "interrupting the delivery of the video from the remote site to the user." Applicant further amended claims 1, 16, and 55 to recite the steps of "continuing the delivery of the video...to the user," and "continuing the display of the video on the visual display from the point in time when the delivery and the display of the video were interrupted after the interaction by the user." Applicant amended independent claims 31 and 43 to recite the steps of "interrupting the delivery of the video to the user and interrupting the display of the video on the visual display at a point in time." No such method is disclosed or suggested by Krapf.

Krapf teaches that "system 1 includes a personal video recorder 2 connected through a data line 18 to a display 4, a set top box 24 connected to a port of the personal video recorder 2, a broadcast head end 26 connected through a cable 28 to the personal video recorder 2, and a remote control 6." (Krapf, col. 3, lines 33-37).

In Krapf, as the user is watching first content 12 (i.e., streaming live TV), the

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"personal video recorder 2 receives streaming video data from the set top box 24 and passes it through to the display device 4." (Krapf, col. 3, line 65 – col. 4, line 2). When the user selects alternative subject matter data 14 (i.e., an advertisement), the "personal video recorder 2 automatically begins recording, i.e., storing the program of the first content 12 on the personal video recorder 2." (Krapf, col. 4, lines 28-33). In Krapf, whether the user selects to watch the live video content (12) or the advertisement (14) on his visual display, delivery of the video content from the remote location over the network to the user's personal video recorder occurs continuously. The delivery of the video from the remote location over the network to the user is not interrupted. Thus, the steps of "continuing the delivery of the video... to the user" and "continuing the display of the video on the visual display from the point in time when the delivery and the display of the video were interrupted" are not taught or suggested by Krapf. Applicant submits that claim 16, as amended, is novel over Krapf.

Similarly, at least for the same reasons as in claim 16, Krapf does not teach or suggest the step of "interrupting the delivery of the video to the user" recited in independent claims 1, 31, 43, and 55, or the step of "interrupting the delivery of the video from the remote site to the user" recited in independent claim 55.

In rejecting independent claims 1 and 31 over Krapf in view of Kikinis, the Examiner relies on Kikinis for the teaching that, when "a user selects an image which is linked by an URL, the user is directed to a web location which provides information related to the image." (Office Action, page 7, lines 4-6). Krapf does not disclose or suggest at least the step of "interrupting the delivery of the video to the user." Applicant respectfully submits that even if Krapf were combined with Kikinis as proposed by the Examiner, the combination would not disclose or suggest all of the recitations of independent claims 1 and 31.

Kikinis states that "[o]nce a viewer activates the system of the invention, and connection is made to the BMW WEB server... TV display is suspended, and the initial WEB page downloaded from the BMW server is displayed instead. Preferably, the TV display continues, and the WEB page downloaded is displayed in a window 71 over the TV display as shown in FIG. 2C." (Kikinis, col. 8, lines 1-8). Kikinis does not disclose

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or suggest interrupting the delivery of the streaming TV program from the remote site to the user. Further, as admitted by the Examiner, "Kikinis fails to disclose continuing the step of delivering and displaying the video from the point in time where the delivery and display of video was interrupted." (Office Action, page 16, lines 4-5).

As set forth above, Krapf does not disclose or suggest at least the steps of "interrupting the delivery of the video to the user" and "continuing the delivery of the video from the remote site to the user and continuing the display of the video on the visual display from the point in time when the delivery and the display of the video were interrupted after the interaction by the user." Thus, Applicant respectfully submits that even if Kikinis were combined with Krapf as proposed by the Examiner, the proposed combination would not disclose or suggest all of the recitations of independent claim 55.

In rejecting independent claim 43 over Krapf and Kikinis in view of Butler, the Examiner relies on Butler for the teaching of "displaying content based on timing specifications for the advantage of indicating times for displaying content relative to the video stream." (See Office Action, page 23). Krapf does not disclose or suggest at least the step of "interrupting the delivery of the video to the user." Applicant respectfully submits that even if Krapf and Kikinis were combined with Butler as proposed by the Examiner, the combination would not disclose or suggest all of the recitations of independent claim 43.

Applicant amended independent claim 59 to recite that the step of creating a link program is adapted to interrupt delivery of video from the remote storage medium to "a user at a second site and to interrupt display of the video on a visual display at the second site," and that the link program linking the ancillary content and the video to the point in time when the "delivery of the video from the remote storage medium to the user" and "the display of the video on the visual display were interrupted." Applicant respectfully submits that the Examiner's proposed combination of Kikinis and Krapf does not disclose or suggest at least the steps of "interrupting the delivery of the video to the user" and "continuing the delivery of the video from the remote site to the user and continuing the display of the video on the visual display from the point in time when

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the delivery and the display of the video were interrupted after the interaction by the user." Further, the Kikinis and Krapf do not disclose or suggest at least the step of "creating a link program adapted to interrupt the delivery of video from the remote storage medium to a user at a second site" as recited in independent claim 59.

Applicant submits that independent claims 1, 16, 31, 43, 55, and 59, as amended, are allowable over the cited references. The rejections of dependent claims 2-6, 8, 10-15, 17-19, 27, 28, 32, 33, 35, 37-42, 44, 45, 47, 49, 50-54, 56, and 60-65 are rendered moot at least because these claims depend from an allowable independent claim, or claims dependent therefrom. Applicant submits that the Examiner's rejections of these claims have been overcome.

The Examiner rejected claims 20, 21, 23, 25, 26, 29, and 30 under 35 U.S.C. § 103(a) as being unpatentable over Krapf in view of Kikinis; rejected claims 7 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Krapf and Kikinis in view of U.S. Patent No. 6,154,738 to Call ("Call"); rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Krapf in view of Call; rejected claim 46 under 35 U.S.C. § 103(a) as being unpatentable over Krapf, Kikinis, and Butler in view of Call; rejected claims 9 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Krapf and Kikinis in view of U.S. Patent No. 6,184,878 to Alonso ("Alonso"); and rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Krapf in view of Alonso. Applicant submits that the rejections of claims 7, 9, 20-26, 29, 30, 34, 36, and 46 are rendered moot at least because these claims depend from an allowable independent claim, or claims dependent therefrom.

In view of the foregoing remarks, it is respectfully submitted that the claims, as amended, are patentable. Therefore, it is requested that the Examiner reconsider the outstanding rejections in view of the preceding comments. Issuance of a timely Notice of Allowance of the claims is earnestly solicited.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any

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fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-1068.

Respectfully submitted,

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